

DEPARTMENT OF GAME AND INLAND FISHERIES

**Regulation 4VAC15-30. Definitions and Miscellaneous: Importation, Possession,
Sale, Etc., of Animals.**

4VAC15-30-5. Powers, authorities, and duties of the director in permitting.

Pursuant to § 29.1-413 and under authority granted to the board in subdivision 12 of § 29.1-103 of the Code of Virginia, the board hereby confers authority upon the director to set the permit schedule, establish permit conditions, delegate signature authority, establish protocols for responding to permit decision appeals, and render final permit decisions. The director shall also have authority to establish a policy on the issuance of new permits to individuals whose previous permits or applications have been revoked or denied for infractions of wildlife laws, regulations, or conditions.

4VAC15-30-10. Possession, importation, sale, etc., of wild animals.

A. Under the authority of §29.1-103 and §29.1-521 of the Code of Virginia it shall be unlawful to take, possess, import, cause to be imported, export, cause to be exported, buy, sell, offer for sale, or liberate within the Commonwealth any wild animal, including captive reared waterfowl, unless otherwise specifically permitted by law or regulation.

B. Furthermore, it shall be unlawful to release any captive-reared mallards in Virginia except during permitted field trials, on licensed shooting preserves permitted for tower shoots and on a valid licensed mallard release area permitted to do so prior to July 1, 2007.

C. Unless otherwise stated, for the purposes of identifying species regulated by the board, when both the scientific and common names are listed, the scientific reference to genus and species will take precedence over common names.

4VAC15-30-40. Importation requirements, possession and sale of nonnative (exotic) animals.

A. Permit required. A special permit is required and may be issued by the department, if consistent with the department's fish and wildlife management program, to import, possess, or sell those nonnative (exotic) animals listed below and in 4VAC15-20-210 that the board finds and declares to be predatory or undesirable within the meaning and intent of §29.1-542 of the Code of Virginia, in that their introduction into the Commonwealth will be detrimental to the native fish and wildlife resources of Virginia:

| AMPHIBIANS: | | | |
|----------------|----------------|----------------------------|-----------------------------------|
| Order | Family | Genus/Species | Common Name |
| Anura | Buforidae | Bufo marinus | Giant or marine toad* |
| | Pipidae | Xenopus spp. | Tongueless or African clawed frog |
| Caudata | Ambystomatidae | Ambystoma tigrum mavortium | Barred tiger salamander |
| | | A. t. diabolii | Gray tiger salamander |
| | | A. t. melanostictum | Blotched tiger salamander |
| BIRDS: | | | |
| Order | Family | Genus/Species | Common Name |
| Psittaciformes | Psittacidae | Myiopsitta monachus | Monk parakeet* |
| Anseriformes | Anatidae | Cygnus olor | Mute swan |
| FISH: | | | |
| Order | Family | Genus/Species | Common Name |
| Cypriniformes | Catostomidae | Ictiobus bubalus | Smallmouth* buffalo |

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|------------------|---------------|--|--------------------------------|
| | | I. cyprinellus | Bigmouth* buffalo |
| | | I. niger | Black buffalo* |
| | Characidae | Pygopristis spp. Pygocentrus spp. Rooseveltiella spp. Serrasalmo spp. Serrasalmus spp. Taddyella spp. | Piranhas |
| | Cyprinidae | Aristichyhs nobilis | Bighead carp* |
| | | Ctenopharyngodon idella | Grass carp or white amur |
| | | Cyprinella lutensis | Red shiner |
| | | Hypophthalmichthys molitrix | Silver carp* |
| | | Mylopharyngodon piceus | Black carp* |
| | | Scardinius erythrophthalmus | Rudd |
| | | Tinca tinca | Tench* |
| Gobiesociformes | Gobiidae | Proterorhinus marmoratus | Tubenose goby |
| | | Neogobius melanostomus | Round goby |
| Perciformes | Channidae | Channa spp. Parachanna spp. | Snakeheads |
| | Cichlidae | Tilapia spp. | Tilapia |
| | | Gymnocephalus cernuum | Ruffe* |
| Siluriformes | Clariidae | All species | Air-breathing catfish |
| Synbranchiformes | Synbranchidae | Monopterus albus | Swamp eel |
| MAMMALS: | | | |
| Order | Family | Genus/Species | Common Name |

| | | | |
|--------------|-------------|--|--|
| Artiodactyla | Suidae | All Species | Pigs or Hogs* |
| | Cervidae | All Species | Deer* |
| Carnivora | Canidae | All Species | Wild Dogs*, Wolves, Coyotes or Coyote hybrids, Jackals and Foxes |
| | Ursidae | All Species | Bears* |
| | Procyonidae | All Species | Raccoons and* Relatives |
| | Mustelidae | All Species (except Mustela putorius furo) | Weasels, Badgers,* Skunks and Otters Ferret |
| | Viverridae | All Species | Civets, Genets,* Lingsangs, Mongooses, and Fossas |
| | Herpestidae | All Species | Mongooses* |
| | Hyaenidae | All Species | Hyenas* |
| | Protelidae | Proteles cristatus | Aardwolf* |
| | Felidae | All Species | Cats* |
| Chiroptera | | All Species | Bats* |
| Lagomorpha | Leporidae | Lepus europeaeus | European hare |
| | | Oryctolagus cuniculus | European rabbit |
| Rodentia | | All species native to Africa | All species native to Africa |
| | Sciuridae | Cynomys spp. | Prairie dogs |
| MOLLUSKS: | | | |
| Order | Family | Genus/Species | Common Name |

| | | | |
|-----------------|------------------|---------------------------|----------------------------|
| Neotaenioglossa | Hydrobiidae | Potamopyrgus antipodarum | New Zealand mudsnail |
| Veneroida | Dreissenidae | Dreissena bugensis | Quagga mussel |
| | | Dreissena polymorpha | Zebra mussel |
| REPTILES: | | | |
| Order | Family | Genus/Species | Common Name |
| Squamata | Alligatoridae | All species | Alligators, caimans* |
| | Colubridae | Boiga irregularis | Brown tree snake* |
| | Crocodylidae | All species | Crocodiles* |
| | Gavialidae | All species | Gavials* |
| CRUSTACEANS: | | | |
| Order | Family | Genus/Species | Common Name |
| Decapoda | Cambaridae | Orconectes rusticus | Rusty crayfish |
| | Parastacidae | Cherax spp. | Australian crayfish |
| | <u>Varunidea</u> | <u>Eriocheir sinensis</u> | <u>Chinese mitten crab</u> |

B. Temporary possession permit for certain animals. Notwithstanding the permitting requirements of subsection A, a person, company or corporation possessing any nonnative (exotic) animal, designated with an asterisk (*) in subsection A, prior to July 1, 1992, must declare such possession in writing to the department by January 1, 1993. This written declaration shall serve as a permit for possession only, is not transferable, and must be renewed every five years. This written declaration must include species name, common name, number of individuals, date or dates acquired, sex (if possible), estimated age, height or length, and other characteristics such as bands and band numbers, tattoos, registration numbers, coloration, and specific markings. Possession transfer will require a new permit according to the requirements of this subsection.

C. Exception for certain monk parakeets. A permit is not required for monk parakeets (quakers) that have been captive bred and are closed-banded with a seamless band.

D. Exception for parts or products. A permit is not required for parts or products of those nonnative (exotic) animals listed in subsection A that may be used for personal use, in the manufacture of products, or used in scientific research, provided that such parts or products be packaged outside the Commonwealth by any person, company, or corporation duly licensed by the state in which the parts originate. Such packages may be transported into the Commonwealth, consistent with other state laws and regulations, so long as the original package remains unbroken, unopened and intact until its point of destination is reached. Documentation concerning the type and cost of the animal parts ordered, the purpose and date of the order, point and date of shipping, and date of receiving shall be kept by the person, business or institution ordering such nonnative (exotic) animal parts. Such documentation shall be open to inspection by a representative of the Department of Game and Inland Fisheries.

E. Exception for certain mammals. Nonnative (exotic) mammals listed in subsection A, except members of the Cervidae family, African rodents, and prairie dogs, that are imported or possessed by dealers, exhibitors, transporters, and researchers who are licensed or registered by the United States Department of Agriculture under the Animal Welfare Act (7 USC §§2131 et seq.) will be deemed to be permitted pursuant to this section, provided that those individuals wanting to import such animals notify the department 24 hours prior to importation with a list of animals to be imported, a schedule of dates and locations where those animals will be housed while in the Commonwealth, and a copy of the current license or licenses or registration or registrations from the U.S. Department of Agriculture, and further provided that such animals shall not be liberated within the Commonwealth.

F. Exception for prairie dogs. The effective date of listing of prairie dogs under subsection A of this section shall be January 1, 1998. Prairie dogs possessed in captivity in Virginia on December 31, 1997, may be maintained in captivity until the animals' deaths, but they may not be sold on or after January 1, 1998, without a permit.

G. Exception for snakehead fish. Anglers may legally harvest snakehead fish of the family Channidea, provided that they immediately kill such fish and that they notify the department, as soon as practicable, of such actions.

H. All other nonnative (exotic) animals. All other nonnative (exotic) animals not listed in subsection A of this section may be possessed, purchased, and sold; provided, that such animals shall be subject to all applicable local, state, and federal laws and regulations, including those that apply to threatened/endangered species, and further provided, that such animals shall not be liberated within the Commonwealth.